



City of San Diego PURCHASE ORDER

PO No. 4500090668

Date: 07/10/2017 **Page 1 of 5**

Ship To: City of San Diego Billing Contact for Delivery Address 92101	Bill To: PUD ACCOUNTS PAYABLE 9192 TOPAZ WAY SAN DIEGO CA 92123	Billing Contact: LECIA FULLER Telephone: E-Mail: lfuller@sandiego.gov
---	---	---

Vendor: Treebeard Landscape Inc PO Box 2777 Spring Valley CA 91979-2777	Terms: within 30 days Due net Delivery Terms: FOB Destination
Vendor ID: 10018270 Telephone: 619-697-8302 E-Mail: info@treebeardlandscape.com	Buyer: Christopher Moore Telephone: 619-236-7254 E-Mail: CMoore@sandiego.gov

Line #	Item ID/Description	Del.Date	Quantity/UM	Unit Price	Extended Price
1	<p>ITEM FY18 NORTH SITE 1 MBC LANDSCAPING FOR NORTHSITE 1 MBC SERVICE FOR THE PERIOD OF 7/1/2017-6/30/2018</p> <p>DEPT CONTACT: STACI DOMASCO PHONE: 619-236-6733 EMAIL:SDOMASCO@SANDIEGO.GOV</p> <p>WAGE REQUIREMENTS: PURCHASE ORDERS EXECUTED ON OR AFTER JANUARY 1, 2015</p> <p>By performing the services detailed in this purchase order, Contractor is entering into a contract with the City. Contractor certifies that he or she is aware of the wage provisions described herein and shall comply with such provisions before commencing services.</p> <p>A. PREVAILING WAGES. Pursuant to San Diego Municipal Code section 22.3019, construction, alteration, demolition, repair and maintenance work performed under this Contract is subject to State prevailing wage laws. For construction work performed under this Contract cumulatively exceeding \$25,000 and for alteration, demolition, repair and maintenance work performed under this Contract cumulatively exceeding \$15,000, the contractor and its subcontractors shall comply with State prevailing wage laws including, but not limited to, the requirements listed below. This requirement is in addition to the requirement to pay Living Wage pursuant to San Diego Municipal Code sections 22.4201 through 22.4245. Contractor must determine which per diem rate is highest for each classification of work (i.e. Prevailing Wage Rate or Living Wage Rate), and pay the highest of the two rates to their employees. Living Wage applies to workers who are not subject to Prevailing Wage Rates.</p> <p>1. Compliance with Prevailing Wage Requirements. Pursuant to sections 1720 through 1861 of the California Labor Code, the Contractor and its subcontractors shall ensure that all workers who perform work under this Contract are paid not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations (DIR). This includes work performed during the design and preconstruction phases of construction including, but not limited to, inspection and land surveying work.</p> <p>1.1. Copies of such prevailing rate of per diem wages are on file at the City and are available for inspection to any interested party on request. Copies of the prevailing rate of per diem wages also may be found at http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm. Contractor and its subcontractors shall post a copy of the prevailing rate of per diem wages determination at each job site and shall make them available to any interested party upon request.</p> <p>1.2. The wage rates determined by the DIR refer to expiration dates. If the published wage rate does not refer to a predetermined wage rate to be paid after the expiration date, then the published rate of wage shall be in effect for the life of this Contract. If the published wage</p>	06/30/2018	12 MON	USD 10,797.75	USD 129,573.00

Notes: The Terms and Conditions of this Purchase Order are available at http://sandiego.gov/purchasing/	SEE LAST PAGE FOR TOTAL
IMPORTANT! To ensure prompt payments, PO # must appear on all shipments and invoices; all invoices must be directed to Billing Contact person at Bill-To address listed above	



City of San Diego PURCHASE ORDER

PO No. 4500090668

Date: 07/10/2017 Page 2 of 5

Line #	Item ID/Description	Del.Date	Quantity/UM	Unit Price	Extended Price
	<p>rate refers to a predetermined wage rate to become effective upon expiration of the published wage rate and the predetermined wage rate is on file with the DIR, such predetermined wage rate shall become effective on the date following the expiration date and shall apply to this Contract in the same manner as if it had been published in said publication. If the predetermined wage rate refers to one or more additional expiration dates with additional predetermined wage rates, which expiration dates occur during the life of this Contract, each successive predetermined wage rate shall apply to this Contract on the date following the expiration date of the previous wage rate. If the last of such predetermined wage rates expires during the life of this Contract, such wage rate shall apply to the balance of the Contract.</p> <p>2. Penalties for Violations. Contractor and its subcontractors shall comply with California Labor Code section 1775 in the event a worker is paid less than the prevailing wage rate for the work or craft in which the worker is employed. This shall be in addition to any other applicable penalties allowed under Labor Code sections 1720 – 1861.</p> <p>3. Payroll Records. Contractor and its subcontractors shall comply with California Labor Code section 1776, which generally requires keeping accurate payroll records, verifying and certifying payroll records, and making them available for inspection. Contractor shall require its subcontractors to also comply with section 1776. Contractor and its subcontractors shall submit weekly certified payroll records online via the City's web-based Labor Compliance Program. Contractor is responsible for ensuring its subcontractors submit certified payroll records to the City. Contractor and their subcontractor(s) shall also furnish the records specified in Labor Code section 1776 directly to the Labor Commissioner in the manner required in Labor Code section 1771.4.</p> <p>4. Apprentices. Contractor and its subcontractors shall comply with California Labor Code sections 1777.5, 1777.6 and 1777.7 concerning the employment and wages of apprentices. Contractor shall be held responsible for the compliance of their subcontractors with sections 1777.5, 1777.6 and 1777.7.</p> <p>5. Working Hours. Contractor and subcontractors shall comply with California Labor Code sections 1810 through 1815, including but not limited to: (i) restrict working hours on public works contracts to eight hours a day and forty hours a week, unless all hours worked in excess of 8 hours per day are compensated at not less than 1½ times the basic rate of pay; and (ii) specify penalties to be imposed on design professionals and subcontractors of \$25 per worker per day for each day the worker works more than 8 hours per day and 40 hours per week in violation of California Labor Code sections 1810 through 1815.</p> <p>6. Required Provisions for Subcontracts. Contractor shall include at a minimum a copy of the following provisions in any contract they enter into with a subcontractor: California Labor Code sections 1771, 1771.1, 1775, 1776, 1777.5, 1810, 1813, 1815, 1860 and 1861.</p> <p>7. Labor Code Section 1861 Certification. Contractor in accordance with California Labor Code section 3700 is required to secure the payment of compensation of its employees and by signing this Contract, Contractor certifies that "I am aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract."</p> <p>8. Labor Compliance Program. The City has its own Labor Compliance Program authorized in August 2011 by the DIR. The City will withhold contract payments when payroll records are delinquent or deemed inadequate by the City or other governmental entity, or it has been established after an investigation by the City or other governmental entity that underpayment(s) have occurred. For questions or assistance, please contact the City of San Diego's Equal Opportunity Contracting Department at 619-236-6000.</p> <p>9. Contractor and Subcontractor Registration Requirements. This project is subject to compliance monitoring and enforcement by the DIR. A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the</p>				

Notes: The Terms and Conditions of this Purchase Order are available at <http://sandiego.gov/purchasing/>

IMPORTANT!

To ensure prompt payments, PO # must appear on all shipments and invoices; all invoices must be directed to **Billing** Contact person at **Bill-To** address listed above

**SEE LAST PAGE
FOR TOTAL**



City of San Diego PURCHASE ORDER

PO No. 4500090668

Date: 07/10/2017 Page 3 of 5

Line #	Item ID/Description	Del.Date	Quantity/UM	Unit Price	Extended Price
	<p>Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter of the Labor Code unless currently registered and qualified to perform the work pursuant to Section 1725.5. In accordance with Labor Code section 1771.1.(a), "[i]t is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 2103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded."</p> <p>9.1 A Contractor's inadvertent error in listing a subcontractor who is not registered pursuant to Labor Code section 1725.5 in a response to a solicitation shall not be grounds for filing a bid protest or grounds for considering the bid non-responsive provided that any of the following apply: (1) the subcontractor is registered prior to bid opening; (2) within twenty-four hours after the bid opening, the subcontractor is registered and has paid the penalty registration fee specified in Labor Code section 1725.5; or (3) the subcontractor is replaced by another registered contractor pursuant to Public Contract Code section 4107.</p> <p>9.2 A contract entered into with any contractor or subcontractor in violation of Labor Code section 1771.1(a) shall be subject to cancellation, provided that a contract for public work shall not be unlawful, void, or voidable solely due to the failure of the awarding body, contractor, or any subcontractor to comply with the requirements of section 1725.5 of this section.</p> <p>9.3 By performing services detailed in this purchase order, Contractor is certifying that he or she has verified that all subcontractors used on this public works project are registered with the DIR in compliance with Labor Code sections 1771.1 and 1725.5, and Contractor shall provide proof of registration to the City upon request.</p> <p>B. Living Wages. This Contract is subject to the City's Living Wage Ordinance (LWO), codified at SDMC sections 22.4201 through 22.4245. The LWO requires payment of minimum hourly wage rates and other benefits unless an exemption applies. SDMC section 22.4225 requires each Contractor to fill out and file a living wage certification with the City Manager within thirty (30) days of Award of the Contract. LWO wage and health benefit rates are adjusted annually in accordance with SDMC section 22.4220(b) to reflect the Consumer Price Index. Service contracts, financial assistance agreements, and City facilities agreements must include this upward adjustment of wage rates to covered employees on July 1 of each year. In addition, Contractor agrees to require all of its subcontractors, sublessees, and concessionaires subject to the LWO to comply with the LWO and all applicable regulations and rules.</p> <p>1. Exemption from Living Wage Ordinance. Pursuant to SDMC section 22.4215, this Contract may be exempt from the LWO. For a determination on this exemption, Contractor must complete the Living Wage Ordinance Application for Exemption.</p> <p>C. Highest Wage Rate Applies. Contractor is required to pay the highest applicable wage rate where more than one wage rate applies.</p>				
****	Item partially delivered				
2	ITEM FY18 EXTRAORDINARY LABOR NSI MBC EXTRAORDINARY LABOR NS1 MBC	06/30/2018	20,700 EA	USD 1.00	USD 20,700.00
****	Item partially delivered				
3	ITEM FY18 NORTH SITE 2A ALVARADO WSO NORTH SITE 2A ALVARADO WSO	06/30/2018	12 MON	USD 8,177.19	USD 98,126.28
****	Item partially delivered				

Notes: The Terms and Conditions of this Purchase Order are available at <http://sandiego.gov/purchasing/>

**SEE LAST PAGE
FOR TOTAL**

IMPORTANT!

To ensure prompt payments, PO # must appear on all shipments and invoices; all invoices must be directed to **Billing** Contact person at **Bill-To** address listed above



City of San Diego PURCHASE ORDER

PO No. 4500090668

Date: 07/10/2017 Page 4 of 5

Line #	Item ID/Description	Del.Date	Quantity/UM	Unit Price	Extended Price
4	ITEM FY18 EXTRAORD NS2A ALVARADO WSO EXTRAORDINARY LABOR NS2A ALVARADO WSO Item partially delivered	06/30/2018	20,700 EA	USD 1.00	USD 20,700.00
5	ITEM FY18 NORTH SUTE 2B ALVARADO ETDC NORTH SITE 2B ALVARADO ETDC Item partially delivered	06/30/2018	12 MON	USD 1,542.44	USD 18,509.28
6	ITEM FY18 EXTRAORD NS2B ALVARADO ETDC EXTRAORDINARY LABOR NS2B ALVARADO ETDC Item partially delivered	06/30/2018	6,210 EA	USD 1.00	USD 6,210.00
7	ITEM FY18 NORTH SITE 2C ALVARADO LAB NORTH SITE 2C ALVARADO LAB Item partially delivered	06/30/2018	12 MON	USD 1,464.63	USD 17,575.56
8	ITEM FY18 EXTRAORD NS2C ALVARADO LAB EXTRAORDINARY LABOR NS2C ALVARADO LAB Item partially delivered	06/30/2018	6,210 EA	USD 1.00	USD 6,210.00
9	ITEM FY18 NORTH SITE 3 SPWRP NORTH SITE 3 SPWRP Item partially delivered	06/30/2018	12 MON	USD 1,187.55	USD 14,250.60
10	ITEM FY18 EXTRAORDINARY LABOR NS3 SPWRP EXTRAORDINARY LABOR NS3 SPWRP	06/30/2018	10,350 EA	USD 1.00	USD 10,350.00
11	ITEM FY18 NORTH SITE 4 EMGPS NORTH SITE 4 EMGPS	06/30/2018	12 MON	USD 631.52	USD 7,578.24
12	ITEM FY18 EXTRAORDINARY LABOR NS4 EMGPS EXTRAORDINARY LABOR NS4 EMGPS	06/30/2018	6,210 EA	USD 1.00	USD 6,210.00
13	ITEM FY18 NORTH SITE 5 PEN PS NORTH SITE 5 PEN PS	06/30/2018	12 MON	USD 631.52	USD 7,578.24
14	ITEM FY18 EXTRAORDINARY LABOR NS5 PEN PS EXTRAORDINARY LABOR NS5 PEN PS	06/30/2018	6,210 EA	USD 1.00	USD 6,210.00
15	ITEM FY18 NORTH SITE 6 PS 64 NORTH SITE 6 PS 64	06/30/2018	12 MON	USD 678.23	USD 8,138.76
16	ITEM FY18 EXTRAORDINARY LABOR NS6 PS 64 EXTRAORDINARY LABOR NS6 PS 64	06/30/2018	3,105 EA	USD 1.00	USD 3,105.00
17	ITEM FY18 NORTH SITE 7 PS 65	06/30/2018	12 MON	USD 477.17	USD 5,726.04

Notes: The Terms and Conditions of this Purchase Order are available at <http://sandiego.gov/purchasing/>

IMPORTANT!

To ensure prompt payments, PO # must appear on all shipments and invoices; all invoices must be directed to *Billing* Contact person at *Bill-To* address listed above

**SEE LAST PAGE
FOR TOTAL**



City of San Diego PURCHASE ORDER

PO No. 4500090668

Date: 07/10/2017 **Page 5 of 5**

Line #	Item ID/Description	Del.Date	Quantity/UM	Unit Price	Extended Price
18	NORTH SITE 7 PS 65 ITEM FY18 EXTRAORDINARY LABOR NS7 PS 65 EXTRAORDINARY LABOR NS7 PS 65 DEPARTMENT CONTACT: STACI DOMASCO @ 858-292-6409	06/30/2018	5,175 EA	USD 1.00	USD 5,175.00
<p>Notes: The Terms and Conditions of this Purchase Order are available at http://sandiego.gov/purchasing/</p> <p style="text-align: center;">IMPORTANT!</p> <p>To ensure prompt payments, PO # must appear on all shipments and invoices; all invoices must be directed to <i>Billing</i> Contact person at <i>Bill-To</i> address listed above</p>					<p>Line Item Total \$ 391,926.00</p> <p>Tax \$ 0.00</p> <p>PO Total \$ 391,926.00</p>